

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 25

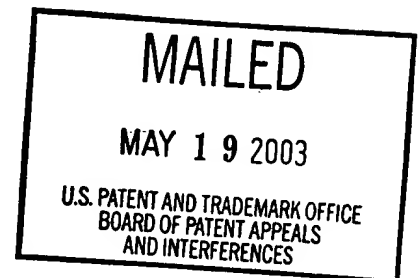
UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte MARION SCOTT BRIGHT,  
PUSHPALATHA CHANNIKEE,  
BALASUBRAMANIAN GOPALAN,  
RAHUL JINDANI,  
JINRAJ DHROUVAKUMAR JOSHIPURA,  
VINOD KANNOTH,  
JAYAKUMAR KRISHANAMURTHY,  
GREGORY LEE MCKEE,  
SYLVAIN MICHEL,  
PENNY JEANNETTE PEACHEY-KOUNTZ  
AND  
JAMES DONALD SCOTT



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Appeal No. 2003-0901  
Application 09/303,368

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ORDER REMANDING TO EXAMINER

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On April 2, 2003, applicants filed a Petition under 37 CFR § 1.97(d) and an Information Disclosure Statement (IDS) (Paper No. 24). There is no indication in the record that the Petition or the IDS was considered according to the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying applicants of

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the decision on Petition and the IDS is required. See Manual of Patent Examining Procedure (MPEP) § 609(c) (8th Ed., Rev. 1, Feb. 2003).

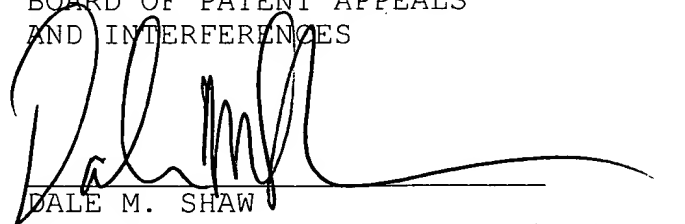
Accordingly, it is

ORDERED that the application is remanded to the examiner for resolution of the following issues:

- consideration of the Petition under 37 CFR § 1.97(d) (Paper No. 24);
- consideration of the IDS (Paper No. 24);
- appropriate notification to applicants of the action taken and;
- for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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Application No. 09/303,368

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